

(3)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RUSSELL TINSLEY : CIVIL ACTION  
Petitioner, :  
: :  
v. : :  
: :  
COURT OF COMMON PLEAS, et. al., : No. 11-6174  
Respondents. :  
:

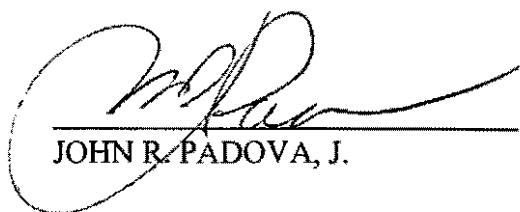
ORDER

JOHN R. PADOVA, J.

AND NOW, this 16<sup>th</sup> day of November, 2011, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED without prejudice for failure to exhaust state remedies.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:



JOHN R. PADOVA, J.